REMARKS

The below comments are in response to the Office Action mailed August 11, 2008 ("Action"). Claims 1-27 are currently pending and stand rejected. Based on the following comments, Applicants respectfully request reconsideration and allowance of the claims.

Claim Rejections Under 35 U.S.C. § 103

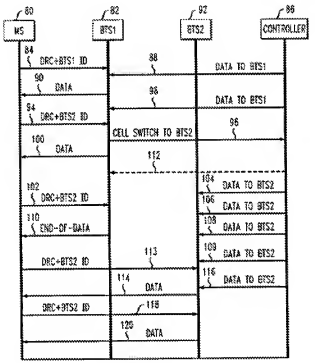
Claims 1, 3, 4, 6, 15, 17, 20, and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,065,359 to Chuah et al. ("Chuah") in view of U.S. PGPUB No. 2007/0002798 to Leung ("Leung"). Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chuah in view of Leung, and further in view of U.S. Patent No. 6,154,652 to Park et al. ("Park"). Claims 5, 19, and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chuah in view of Leung, and further in view of U.S. Patent No. 5,513,246 to Jonsson ("Jonsson"). Claims 7-9, 12-13, 22, and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chuah in view of Leung, and further in view of U.S. Patent No. 6,731,936 to Chen et al. ("Chen"). Claims 10, 11, 16, 18, 23, and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chuah in view of Leung, and further in view of U.S. PGPUB No. 2003/0162535 to Nishiyama et al. ("Nishiyama"). Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chuah in view of Leung, and further in view of U.S. Patent No. 6,366,568 to Bolgiano et al. ("Bolgiano"). Claim 27 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chuah in view of Leung and Jonsson, and further in view of Chen. Applicants respectfully traverse each of these rejections. Applicants submit that, for at least the following reasons, the claims define over each of the cited references.

A. Comments on Claim 1

Claim 1 has been amended to recite "receiving a first channel burst broadcasted from a first base station of a unidirectional broadcast network on a wireless channel." Claim 1 stands rejected as being obvious over the combination of Chuah and Leung. Applicants submit that for at least the following reasons, the combination of Chuah and Leung, even if proper, fails to teach or suggest the features recited in amended claim 1.

The Action concedes that Chuah does not disclose a first channel burst broadcast.[1] See Action at page 4. Accordingly, Chuah then must also fail to teach or suggest "receiving a first channel burst broadcasted from a first base station of a unidirectional broadcast network on a wireless channel," as recited in amended claim 1.

Additionally, Chuah requires *bidirectional* communication with a base station and hence amended claim 1 further defines over Chuah. Notably, Figure 3 of Chuah, reproduced below, illustrates the communications between mobile station (MS) 80, base station one (BTS1) 82, base station two (BTS2) 92, and controller 86 to perform a handoff of MS 80 from BTS1 82 to BTS2 92.



See Chuah at Figure 3. As illustrated, MS 80 sends a base station identifier (BTS id) to a base station on a data rate control (DRC) channel. *Id.* at col. 6, ll. 18-23. The transmission on a particular DRC channel identifies the base station as the base station that the MS 80 wants to receive packets from on the downlink. *Id.* at col. 6, ll. 24-26. When the MS 80 decides to switch base stations, MS 80 sends base station selection information to its current base station (i.e.,

[1] The Action states that *Leung* does "not teach specifically receiving a first channel broadcast." See Action at p. 4. This reference to Leung appears to be a clerical error, as it appears from the context that the Action intended to refer to Chuah instead.

BTS1 82). *Id.* at col. 6, ll. 38-42. To prevent losing data, the MS 80 continues to receive data from its current base station (i.e., BTS1 82) until receiving an end of data signal 110 and then switches to the new base station (i.e., BTS2 92). *Id.* at col. 6, ll. 55-57 and at col. 7, ll. 1-8. Thus, Chuah requires *bidirectional* communication and hence amended claim 1 further defines over Chuah.

Combining Leung with Chuah would not render claim 1 obvious. Leung describes a system for hard handoffs in a broadcast communication system. See Leung at Title and at Abstract. Chuah could not, however, be modified based on Leung to receive a first channel burst broadcasted from a first base station of a *unidirectional broadcast network* in the manner claimed. Notably, Chuah requires that the MS 80 bidirectionally communicate over an uplink control channel with base stations BTS1 82 and BTS2 92 to perform a handoff in the manner contemplated by Chuah. *Id.* at Figure 3 and at col. 4, ll. 61-64. Chuah has a particular reason for requiring bidirectional communication. Specifically, Chuah requires bidirectional communication to coordinate handoffs between the MS 80 and the BTS's to prevent data loss caused by data being sent to the previous base station BTS1 after the MS 80 has already switched to new base station BTS2. *Id.* at col. 6, ll. 50-57. See also *id.* at col. 4, ll. 61-64 discussing an "uplink control channel," at claims 1-2, and at col. 5, ll. 49-48 discussing an "uplink data rate control (DRC) channel." Thus, Chuah requires *bidirectional* communication between MS 80 and the base stations, and hence could not be modified to operate in unidirectional broadcast network without destroying the coordinated handoff feature described in Figure 3. Therefore, Chuah could not be modified to operate in a unidirectional broadcast network, and hence the combination of Chuah and Leung fails to teach or suggest "receiving a first channel burst broadcasted from a first base station of a unidirectional broadcast network on a wireless channel," as recited in amended claim 1.

Moreover, Leung is not combinable with Chuah. Notably, Leung indicates that "subscriber-assisted handoff is impractical in a broadcast communication system due to . . . a high signaling load." *Id.* at Abstract and at ¶ 0012. Leung also indicates that transmissions received simultaneously by a base station during handoff are synchronized at the transmission base stations. *Id.* at ¶ 0012. Leung notes that "because broadcast transmission is intended for many subscriber stations, the base station **cannot** synchronize transmissions for each subscriber station desiring a handoff." *Id.* Emphasis added. In contrast, Chuah describes subscriber

assisted handoffs. See Chuah at Figure 3. Thus, Leung indicates that its system would not be combined with subscriber assisted handoffs systems, such as that disclosed in Chuah, due to synchronization issues and a high signaling load. Therefore, the combination of Chuah and Leung is improper for the above noted reasons described in Leung.

Accordingly, at least the features of "receiving a first channel burst broadcasted from a first base station of a unidirectional broadcast network on a wireless channel," as recited in amended claim 1, define over the combination of Chuah and Leung. Applicants submit that it is not believed that any of Hishiyama, Park, Bolgiano, or Jonnson, alone or in combination with Chuah and Leung, teach or suggest the missing claim features. Applicants therefore respectfully request that the rejection of claim 1 under 35 U.S.C. § 103(a) be withdrawn.

B. Comments on Claims 2-27

Independent claims 20, 25, and 27 each have been amended to recite a unidirectional broadcast network. Accordingly, these claims are allowable at least for reasons analogous to those given in support of claim 1. Claims 2-19, 21-24, and 26 respectively depend from claims 20, 25, and 27, and are allowable at least due to their dependence on an allowable claim.

C. Further Comments on Claims 11, 23, and 26

Claim 11 has been amended to recite the "method of claim 10, wherein (H) comprises: (i) instructing a module of a wireless terminal to reduce power consumption." The Action conceded that Chuah and Leung did not disclose "reducing power consumption of the wireless terminal" as recited in previous claim 11, and relied on Nishiyawa to reject the previous claim features. See Action at pp. 10-11. In ¶ 0075, Nishiyawa discloses:

> [**0075**] When the mobile station performs an adjacent cell search, the base station may provide them as adjacent cell information. The adjacent cell information include not only base station identification information (AP-ID) of an adjacent cell and occupied frequency channel information but also a TDMA frame offset between cells and the like. Thus, the mobile station may receive a broadcast channel of the adjacent cell by finding an appropriate reception timing based on the adjacent cell information. As a result, the mobile station does not need to perform an unnecessary reception operation in the event of the handoff, thus being effective to reduce the power consumption of the mobile station.

Thus, in Nishiyawa, power consumption is reduced by a mobile station not performing an unnecessary reception operation in the event of a handoff.

This differs from amended claim 11. Claim 11 as amended recites "instructing a module of a wireless terminal to reduce power consumption." Nishiyawa does not include any such instruction to reduce power consumption. Instead, Nishiyawa discloses that the mobile station receives information on a TDMA frame offset, and hence reduces power by not needing to perform an unnecessary operation to find the timing of the frame offset. See Nishiyawa at ¶ 0075. Nishiyawa does not, however, disclose instructing a module of the mobile station to reduce power consumption. Particularly, the reduction in power consumption in Nishiyawa is based on not performing a receiving operation as opposed to any instruction for a module of the mobile station to reduce power consumption. Thus, the combination of Chuah, Leung, and Nishiyawa, even if proper, fails to teach or suggest all of the elements recited in claim 11. Therefore, claim 11 defines over the cited prior art for at least these reasons and Applicants respectfully request that the rejection be withdrawn.

Claims 23 and 26 recite similar claim features and are allowable at least for analogous reasons.

CONCLUSION

Applicant respectfully submits that the pending claims are in condition for allowance. Favorable reconsideration of this application is respectfully requested. The Examiner is invited to contact the undersigned should it be deemed necessary to facilitate prosecution of the application.

Respectfully submitted,
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